



Sen. Kyle McCarter

Filed: 3/21/2012

09700SB3022sam001

LRB097 16568 NHT 67642 a

1 AMENDMENT TO SENATE BILL 3022

2 AMENDMENT NO. _____. Amend Senate Bill 3022 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 2-3.11 as follows:

6 (105 ILCS 5/2-3.11) (from Ch. 122, par. 2-3.11)

7 Sec. 2-3.11. Report to Governor and General Assembly. To
8 report to the Governor and General Assembly annually on or
9 before January 14 the condition of the schools of the State
10 using the most recently available data.

11 Such annual report shall contain reports of the State
12 Teacher Certification Board; the schools of the State
13 charitable institutions; reports on ~~driver education,~~ special
14 education~~,~~ and transportation; and for such year the annual
15 statistical reports of the State Board of Education, including
16 the number and kinds of school districts; number of school

1 attendance centers; number of men and women teachers;
2 enrollment by grades; total enrollment; total days attendance;
3 total days absence; average daily attendance; number of
4 elementary and secondary school graduates; assessed valuation;
5 tax levies and tax rates for various purposes; amount of
6 teachers' orders, anticipation warrants, and bonds
7 outstanding; and number of men and women teachers and total
8 enrollment of private schools. The report shall give for all
9 school districts receipts from all sources and expenditures for
10 all purposes for each fund; the total operating expense, the
11 per capita cost, and instructional expenditures; federal and
12 state aids and reimbursements; new school buildings, and
13 recognized schools; together with such other information and
14 suggestions as the State Board of Education may deem important
15 in relation to the schools and school laws and the means of
16 promoting education throughout the state.

17 In this Section, "instructional expenditures" means the
18 annual expenditures of school districts properly attributable
19 to expenditure functions defined in rules of the State Board of
20 Education as: 1100 (Regular Education); 1200-1220 (Special
21 Education); 1250 (Ed. Deprived/Remedial); 1400 (Vocational
22 Programs); 1600 (Summer School); 1650 (Gifted); 1800
23 (Bilingual Programs); 1900 (Truant Alternative); 2110
24 (Attendance and Social Work Services); 2120 (Guidance
25 Services); 2130 (Health Services); 2140 (Psychological
26 Services); 2150 (Speech Pathology and Audiology Services);

1 2190 (Other Support Services Pupils); 2210 (Improvement of
2 Instruction); 2220 (Educational Media Services); 2230
3 (Assessment and Testing); 2540 (Operation and Maintenance of
4 Plant Services); 2550 (Pupil Transportation Service); 2560
5 (Food Service); 4110 (Payments for Regular Programs); 4120
6 (Payments for Special Education Programs); 4130 (Payments for
7 Adult Education Programs); 4140 (Payments for Vocational
8 Education Programs); 4170 (Payments for Community College
9 Programs); 4190 (Other payments to in-state government units);
10 and 4200 (Other payments to out of state government units).
11 (Source: P.A. 95-793, eff. 1-1-09; 96-734, eff. 8-25-09.)

12 Section 10. The Illinois Vehicle Code is amended by
13 changing Sections 1-103 and 6-103 as follows:

14 (625 ILCS 5/1-103) (from Ch. 95 1/2, par. 1-103)

15 Sec. 1-103. Approved driver education course. (a) Any
16 course of driver education approved by the State Board of
17 Education, offered by public or private schools maintaining
18 grades 9 through 12, ~~and meeting at least the minimum~~
19 ~~requirements of the "Driver Education Act", as now or hereafter~~
20 ~~amended,~~ (b) any course of driver education offered by a school
21 licensed to give driver education instructions under this Code
22 that Act ~~which meets at least the minimum educational~~
23 ~~requirements of the "Driver Education Act", as now or hereafter~~
24 ~~amended,~~ and is approved by the State Board of Education, (c)

1 any course of driver education given in another state ~~State~~ to
2 an Illinois resident attending school in such state ~~State~~ and
3 approved by the state ~~State~~ administrator of the Driver
4 Education Program of such other state ~~State~~, or (d) any course
5 of driver education given at a Department of Defense Education
6 Activity school that is approved by the Department of Defense
7 Education Activity and taught by an adult driver education
8 instructor or traffic safety officer.

9 (Source: P.A. 96-740, eff. 1-1-10.)

10 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

11 Sec. 6-103. What persons shall not be licensed as drivers
12 or granted permits. The Secretary of State shall not issue,
13 renew, or allow the retention of any driver's license nor issue
14 any permit under this Code:

15 1. To any person, as a driver, who is under the age of
16 18 years except as provided in Section 6-107, and except
17 that an instruction permit may be issued under Section
18 6-107.1 to a child who is not less than 15 years of age if
19 the child is enrolled in an approved driver education
20 course as defined in Section 1-103 of this Code and
21 requires an instruction permit to participate therein,
22 except that an instruction permit may be issued under the
23 provisions of Section 6-107.1 to a child who is 17 years
24 and 3 months of age without the child having enrolled in an
25 approved driver education course and except that an

1 instruction permit may be issued to a child who is at least
2 15 years and 3 months of age, is enrolled in school, ~~meets~~
3 ~~the educational requirements of the Driver Education Act,~~
4 and has passed examinations the Secretary of State in his
5 or her discretion may prescribe;

6 2. To any person who is under the age of 18 as an
7 operator of a motorcycle other than a motor driven cycle
8 unless the person has, in addition to meeting the
9 provisions of Section 6-107 of this Code, successfully
10 completed a motorcycle training course approved by the
11 Illinois Department of Transportation and successfully
12 completes the required Secretary of State's motorcycle
13 driver's examination;

14 3. To any person, as a driver, whose driver's license
15 or permit has been suspended, during the suspension, nor to
16 any person whose driver's license or permit has been
17 revoked, except as provided in Sections 6-205, 6-206, and
18 6-208;

19 4. To any person, as a driver, who is a user of alcohol
20 or any other drug to a degree that renders the person
21 incapable of safely driving a motor vehicle;

22 5. To any person, as a driver, who has previously been
23 adjudged to be afflicted with or suffering from any mental
24 or physical disability or disease and who has not at the
25 time of application been restored to competency by the
26 methods provided by law;

1 6. To any person, as a driver, who is required by the
2 Secretary of State to submit an alcohol and drug evaluation
3 or take an examination provided for in this Code unless the
4 person has successfully passed the examination and
5 submitted any required evaluation;

6 7. To any person who is required under the provisions
7 of the laws of this State to deposit security or proof of
8 financial responsibility and who has not deposited the
9 security or proof;

10 8. To any person when the Secretary of State has good
11 cause to believe that the person by reason of physical or
12 mental disability would not be able to safely operate a
13 motor vehicle upon the highways, unless the person shall
14 furnish to the Secretary of State a verified written
15 statement, acceptable to the Secretary of State, from a
16 competent medical specialist, a licensed physician
17 assistant who has been delegated the performance of medical
18 examinations by his or her supervising physician, or a
19 licensed advanced practice nurse who has a written
20 collaborative agreement with a collaborating physician
21 which authorizes him or her to perform medical
22 examinations, to the effect that the operation of a motor
23 vehicle by the person would not be inimical to the public
24 safety;

25 9. To any person, as a driver, who is 69 years of age
26 or older, unless the person has successfully complied with

1 the provisions of Section 6-109;

2 10. To any person convicted, within 12 months of
3 application for a license, of any of the sexual offenses
4 enumerated in paragraph 2 of subsection (b) of Section
5 6-205;

6 11. To any person who is under the age of 21 years with
7 a classification prohibited in paragraph (b) of Section
8 6-104 and to any person who is under the age of 18 years
9 with a classification prohibited in paragraph (c) of
10 Section 6-104;

11 12. To any person who has been either convicted of or
12 adjudicated under the Juvenile Court Act of 1987 based upon
13 a violation of the Cannabis Control Act, the Illinois
14 Controlled Substances Act, or the Methamphetamine Control
15 and Community Protection Act while that person was in
16 actual physical control of a motor vehicle. For purposes of
17 this Section, any person placed on probation under Section
18 10 of the Cannabis Control Act, Section 410 of the Illinois
19 Controlled Substances Act, or Section 70 of the
20 Methamphetamine Control and Community Protection Act shall
21 not be considered convicted. Any person found guilty of
22 this offense, while in actual physical control of a motor
23 vehicle, shall have an entry made in the court record by
24 the judge that this offense did occur while the person was
25 in actual physical control of a motor vehicle and order the
26 clerk of the court to report the violation to the Secretary

1 of State as such. The Secretary of State shall not issue a
2 new license or permit for a period of one year;

3 13. To any person who is under the age of 18 years and
4 who has committed the offense of operating a motor vehicle
5 without a valid license or permit in violation of Section
6 6-101 or a similar out of state offense;

7 14. To any person who is 90 days or more delinquent in
8 court ordered child support payments or has been
9 adjudicated in arrears in an amount equal to 90 days'
10 obligation or more and who has been found in contempt of
11 court for failure to pay the support, subject to the
12 requirements and procedures of Article VII of Chapter 7 of
13 the Illinois Vehicle Code;

14 14.5. To any person certified by the Illinois
15 Department of Healthcare and Family Services as being 90
16 days or more delinquent in payment of support under an
17 order of support entered by a court or administrative body
18 of this or any other State, subject to the requirements and
19 procedures of Article VII of Chapter 7 of this Code
20 regarding those certifications;

21 15. To any person released from a term of imprisonment
22 for violating Section 9-3 of the Criminal Code of 1961 or a
23 similar provision of a law of another state relating to
24 reckless homicide or for violating subparagraph (F) of
25 paragraph (1) of subsection (d) of Section 11-501 of this
26 Code relating to aggravated driving under the influence of

1 alcohol, other drug or drugs, intoxicating compound or
2 compounds, or any combination thereof, if the violation was
3 the proximate cause of a death, within 24 months of release
4 from a term of imprisonment;

5 16. To any person who, with intent to influence any act
6 related to the issuance of any driver's license or permit,
7 by an employee of the Secretary of State's Office, or the
8 owner or employee of any commercial driver training school
9 licensed by the Secretary of State, or any other individual
10 authorized by the laws of this State to give driving
11 instructions or administer all or part of a driver's
12 license examination, promises or tenders to that person any
13 property or personal advantage which that person is not
14 authorized by law to accept. Any persons promising or
15 tendering such property or personal advantage shall be
16 disqualified from holding any class of driver's license or
17 permit for 120 consecutive days. The Secretary of State
18 shall establish by rule the procedures for implementing
19 this period of disqualification and the procedures by which
20 persons so disqualified may obtain administrative review
21 of the decision to disqualify;

22 17. To any person for whom the Secretary of State
23 cannot verify the accuracy of any information or
24 documentation submitted in application for a driver's
25 license; or

26 18. To any person who has been adjudicated under the

1 Juvenile Court Act of 1987 based upon an offense that is
2 determined by the court to have been committed in
3 furtherance of the criminal activities of an organized
4 gang, as provided in Section 5-710 of that Act, and that
5 involved the operation or use of a motor vehicle or the use
6 of a driver's license or permit. The person shall be denied
7 a license or permit for the period determined by the court.

8 The Secretary of State shall retain all conviction
9 information, if the information is required to be held
10 confidential under the Juvenile Court Act of 1987.

11 (Source: P.A. 96-607, eff. 8-24-09; 96-740, eff. 1-1-10;
12 96-962, eff. 7-2-10; 96-1000, eff. 7-2-10; 97-185, eff.
13 7-22-11.)

14 (105 ILCS 5/27-24 rep.)

15 (105 ILCS 5/27-24.1 rep.)

16 (105 ILCS 5/27-24.2 rep.)

17 (105 ILCS 5/27-24.3 rep.)

18 (105 ILCS 5/27-24.4 rep.)

19 (105 ILCS 5/27-24.5 rep.)

20 (105 ILCS 5/27-24.6 rep.)

21 (105 ILCS 5/27-24.7 rep.)

22 (105 ILCS 5/27-24.8 rep.)

23 Section 15. The School Code is amended by repealing
24 Sections 27-24, 27-24.1, 27-24.2, 27-24.3, 27-24.4, 27-24.5,
25 27-24.6, 27-24.7, and 27-24.8."